UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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BRUNO MAZZEO-UNUM,

Plaintiff,

vs.   1:12-CV-1856

DEPARTMENT OF TRANSPORTATION;
UNITED STATES PATENT/TRADEMARK OFFICE.

Defendants.

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Thomas J. McAvoy,
Sr. U.S. District Judge

DECISION & ORDER

This pro se action pursuant to Title VII of the Civil Rights Act, 42 U.S.C. § 2000e-5,

and the Americans with Disabilities Act, 42 U.S.C. § 12101, was referred to the Hon.

Randolph F. Treece, United States Magistrate Judge, for a Report-Recommendation

pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

The Report-Recommendation dated January 11, 2013, recommended that

Plaintiff's action be dismissed for failure to state a claim for which relief may be granted

pursuant to 28 U.S.C. § 1915(e)(2)(b)(ii).

Plaintiff filed timely objections to the Report-Recommendation, essentially raising

the same arguments presented to the Magistrate Judge, as well as a plethora of

ambiguous statements that seem to have no correlation to the initial cause of action.

When objections to a magistrate judge's Report-Recommendation are lodged, the

Court makes a "de novo determination of those portions of the report or specified

proposed findings or recommendations to which objection is made." See 28 U.S.C. § 636(b)(1). After such a review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions." Id.
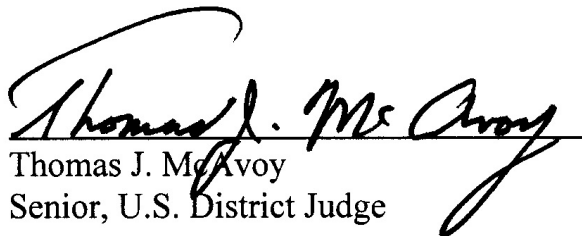
Having reviewed the record de novo and having considered the issues raised in the Plaintiff's objections, this Court has determined to accept the recommendation of Magistrate Judge Treece for the reasons stated in the Report-Recommendation.

It is therefore

ORDERED that Plaintiff's complaint be DISMISSED for failure to state a claim on which relief can be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

IT IS SO ORDERED.

Dated:June 12, 2013

Thomas J. McAvoy
Senior, U.S. District Judge